

Amendments to the Claims

This listing of claims will replace all prior versions, and listings of claims in the application.

1. (original) A combination of polynucleotides for amplification and detection of a portion of a *L. monocytogenes hlyA* gene, said portion comprising the sequence set forth in SEQ ID NO:30, said combination comprising:
 - (a) a first polynucleotide primer comprising at least 7 nucleotides of the sequence as set forth in SEQ ID NO:1;
 - (b) a second polynucleotide primer comprising at least 7 nucleotides of a sequence complementary to SEQ ID NO:1; and
 - (c) a polynucleotide probe comprising at least 7 consecutive nucleotides of the sequence as set forth in SEQ ID NO:29, or the complement thereof.
2. (original) The combination of polynucleotides according to claim 1, wherein said polynucleotide probe comprises at least 7 consecutive nucleotides of the sequence as set forth in SEQ ID NO:30, or the complement thereof.
3. (currently amended) The combination of polynucleotides according to claim 1 [[or 2]], wherein said first and second polynucleotide primers comprise at least 7 consecutive nucleotides of the sequence as set forth in any of SEQ ID NOs: 2 to 28, or the complement thereof.
4. (currently amended) The combination of polynucleotides according to ~~any one of claims 1, 2 or 3~~ claim 1, wherein said portion of a *L. monocytogenes hlyA* gene is less than or equal to 140 nucleotides in length.
5. (currently amended) The combination of polynucleotides according to ~~any one of claims 1 to 4~~ claim 1, wherein said first polynucleotide primer comprises at least 7 consecutive nucleotides of the sequence as set forth in SEQ ID NO:31 and

said second polynucleotide primer comprises at least 7 consecutive nucleotides of the sequence as set forth in SEQ ID NO:32.

6. (original) A pair of polynucleotide primers for amplification of a portion of a *L. monocytogenes hlyA* gene, said portion comprising the sequence set forth in SEQ ID NO:30, said pair of polynucleotide primers comprising:
 - (a) a first polynucleotide primer comprising at least 7 nucleotides of the sequence as set forth in SEQ ID NO:1; and
 - (b) a second polynucleotide primer comprising at least 7 nucleotides of a sequence complementary to SEQ ID NO:1.
7. (original) The pair of polynucleotide primers according to claim 6, wherein said first and second polynucleotide primers comprise at least 7 nucleotides of the sequence as set forth in any one of SEQ ID NOs: 2 to 28.
8. (currently amended) The pair of polynucleotide primers according to claim 6 [[or 7]], wherein said portion of a *L. monocytogenes hlyA* gene is less than or equal to 140 nucleotides in length.
9. (currently amended) The pair of polynucleotide primers according to ~~any one of claims 6 to 8~~ claim 6, wherein said first polynucleotide primer comprises at least 7 consecutive nucleotides of the sequences as set forth in SEQ ID NO:31 and said second polynucleotide primer comprises at least 7 consecutive nucleotides of the sequence as set forth in SEQ ID NO:32.
10. (currently amended) A method of detecting *L. monocytogenes* in a sample, said method comprising:
 - (a) contacting a test sample suspected of containing, or known to contain, a *L. monocytogenes* target nucleotide sequence with the combination of polynucleotides according to ~~any one of claims 1 to 6~~ claim 1 under

conditions that permit amplification and detection of said target sequence,
and

(b) detecting any amplified target sequence,

wherein detection of amplified target sequence indicates the presence of *L. monocytogenes* in the sample.

11. (original) The method according to claim 10, wherein said first polynucleotide primer comprises a sequence as set forth in SEQ ID NO:31, said second polynucleotide primer comprises a sequence as set forth in SEQ ID NO:32 and said polynucleotide probe comprises a sequence as set forth in SEQ ID NO:33, or the complement thereof.
12. (currently amended) The method according to claim 10 [[or 11]], further comprising a step to enrich the microbial content of the test sample prior to step (a).
13. (original) A kit for the detection of *L. monocytogenes* in a sample, said kit comprising:
 - (a) a first polynucleotide primer comprising at least 7 nucleotides of the sequence as set forth in SEQ ID NO:1;
 - (b) a second polynucleotide primer comprising at least 7 nucleotides of a sequence complementary to SEQ ID NO:1; and
 - (c) a polynucleotide probe comprising at least 7 consecutive nucleotides of the sequence as set forth in SEQ ID NO:29, or the complement thereof.
14. (original) The kit according to claim 13, wherein said polynucleotide probe comprises at least 7 consecutive nucleotides of the sequence as set forth in SEQ ID NO:30, or the complement thereof.

15. (currently amended) The kit according to claim 13 [[or 14]], wherein said first and second polynucleotide primers comprise at least 7 consecutive nucleotides of the sequence as set forth in any one of SEQ ID NOs: 2 to 28, or the complement thereof.
16. (currently amended) The kit according to ~~any one of claims 13, 14, or 15~~ claim 13, wherein said first and second primer amplify a portion of a *L. monocytogenes hlyA* gene that is less than or equal to 140 nucleotides in length.
17. (currently amended) The kit according to ~~any one of claims 13 to 16~~ claim 13, wherein said first polynucleotide primer comprises at least 7 consecutive nucleotides of the sequence as set forth in SEQ ID NO:31 and said second polynucleotide primer comprises at least 7 consecutive nucleotides of the sequence as set forth in SEQ ID NO:32.
18. (currently amended) The kit according to ~~any one of claims 13 to 17~~ claim 13, wherein said first polynucleotide primer comprises a sequence as set forth in SEQ ID NO:31, said second polynucleotide primer comprises a sequence as set forth in SEQ ID NO:32 and said polynucleotide probe comprises a sequence as set forth in SEQ ID NO:33, or the complement thereof.
19. (original) An isolated *L. monocytogenes* specific polynucleotide having the sequence as set forth in SEQ ID NO:29, or the complement thereof.
20. (original) A polynucleotide primer of between 7 and 100 nucleotides in length for the amplification of a portion of a *L. monocytogenes hlyA* gene, said polynucleotide comprising the sequence as set forth in any one of: SEQ ID NOs:31, 32, 34 or 36.
21. (original) A polynucleotide probe of between 7 and 70 nucleotides in length for detection of *L. monocytogenes*, said polynucleotide probe comprising at least 7 consecutive nucleotides of the sequence as set forth in SEQ ID NO:30, or the complement thereof.

22. (original) The polynucleotide probe according to claim 21, wherein said polynucleotide comprises the sequence as set forth in SEQ ID NO:34, or the complement thereof.
23. (original) The polynucleotide probe according to claim 22, wherein said polynucleotide comprises the sequence as set forth in any one of SEQ ID NOs: 33, 34, 35, or 36.
24. (currently amended) The polynucleotide probe according to ~~any one of claims 21, 22 or 23~~ claim 21, wherein said polynucleotide further comprises a fluorophore, a quencher, or a combination thereof.
25. (new) A method of detecting *L. monocytogenes* in a sample, said method comprising:
 - (a) contacting a test sample suspected of containing, or known to contain, a *L. monocytogenes* target nucleotide sequence with the pair of polynucleotide primers according to claim 6 under conditions that permit amplification and detection of said target sequence, and
 - (b) detecting any amplified target sequence,wherein detection of amplified target sequence indicates the presence of *L. monocytogenes* in the sample.